

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Hark C. Chan	Examiner:	Nano, Sargon N
Serial No.:	<b>09/836,397</b>	Group Art Unit:	2157
Filed:	Apr. 17, 2001	Docket No.:	LOCREM-01
Title:	<b>A DATA DELIVERY SYSTEM USING LOCAL AND REMOTE COMMUNICATIONS</b>		

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**AMENDED APPEAL BRIEF IN RESPONSE TO NOTIFICATION  
OF NON-COMPLIANT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In the "Notification of Non-Compliant Appeal Brief" mailed December 19, 2006, the Examiner stated that the brief (1) does not contain a statement of the status of all claims and (2) the claimed invention is not mapped to independent claims 2 and 12. Applicant hereby amends sections (iii) and (v) of the previously filed appeal brief. In amending section (iii), applicant adds at the end of the section a sentence regarding the status of claim 1. In amending section (v) applicant adds (starting from the third paragraph) mapping of drawings and specification to independent claims 2 and 12.

**AMENDED SECTION (iii)**

**(iii) Status of claims**

Nineteen claims (2-20) are now pending in the application. All of them are rejected. Claim 1 was cancelled in a preliminary amendment dated April 21, 2003.

## **AMENDED SECTION (v)**

### **(v) Summary of claimed subject matter**

The present invention is directed to a system for communication through a wide area network (e.g., 110). The system comprises an apparatus (e.g., 130) and at least one portable unit (such as 180). The apparatus comprises a wide area interface (e.g., 140) and a wireless local interface (e.g., 142). The portable unit comprises a wide area interface (e.g., 188) and a wireless local interface (e.g., 186). The wide area interfaces of the apparatus and the portable unit can communicate with each other via the wide area network. The wireless local interfaces of the apparatus and the portable unit can communicate with each other when they are located within a short distance from each other (relative to the wide area communication). At least one of the apparatus and the portable unit generates non-deterministic digital contents at multiple times without user action at these times. An example of a non-deterministic digital content is a digital code generated by a random number generator. The device that generates the non-deterministic digital contents (e.g., the portable unit) delivers it to the non-generating device (e.g., the apparatus). The apparatus and the portable unit then use the digital contents as identification in communication through the wide area network.

The present invention is also directed to a method for an apparatus (e.g., 130) and at least one portable unit (e.g., 180) to communicate through a wide area network (e.g., 110). At least one of the apparatus and the portable unit generates non-deterministic digital contents at multiple times without user action at these times. When the apparatus and the portable device are close to each other (relative to the wide area communication), the non-deterministic digital content is wirelessly delivered from the generating device to the other device. The digital content can be used as identification in communication between the apparatus and the portable unit via the wide area network.

One way to map claim 2 to the drawings and specification is as follows:

- (1) A system for communication through a wide area network: The wide area network is shown as reference numeral 110 in the drawings (e.g., Fig. 1A).
- (2) An apparatus and at least one portable unit: The apparatus is shown as reference numeral 130 in Fig. 2A. Fig. 1A shows many portable units (such as reference numerals 112-114). A detailed drawing of a portable unit is shown in Fig. 3A as reference numeral 180.
- (3) The apparatus comprising a wide area interface and a wireless local interface: Fig. 2A shows an exemplary apparatus, which contains a wide area interface 140 and a wireless local interface 142.
- (4) One of the portable units comprising a wide area interface and a wireless local interface: Fig. 3A shows an exemplary portable unit, which contains a wide area interface 188 and a wireless local interface 186. The wide area interfaces of the apparatus and the portable unit can communicate with each other via the wide area network (see page 9, lines 11 and 12 of the specification). The wireless local interfaces of the apparatus and the portable unit can communicate with each other when they are located within a short distance from each other (see page 6, lines 2-3 of the specification).
- (5) Wherein at least one member of said apparatus and said at least one portable unit generates non-deterministic digital contents at multiple times without user action at these times, said one member uses its wireless local interface to deliver at least one of said digital contents to another member of said apparatus and said at least one portable unit: A random number generator and clock can be used to generate digital contents at predetermined times (see page 8, lines 4-12, of the application). The digital contents can be delivered using the wireless local interface (see page 8, lines 12-16).
- (6) Said digital contents being used by said apparatus and said at least one portable unit as identification in communication via said wide area network: The communication is described on page 8, lines 4-6 and page 9, lines 11-13 and 18-19.

One way to map claim 12 to the drawings and specification is as follows:

- (1) A method for an apparatus and a portable unit to communicate through a wide area network: Page 8, lines 4-16, of the application describe the operation of an apparatus and a portable unit that can communicate through a wide are network.
- (2) Generating non-deterministic digital contents by one of the apparatus and the portable unit at multiple times without user action at these times: Page 8, lines 9-12, describe the use of a clock and a random number generator to create digital contents.
- (3) While the apparatus and portable unit are within a domain, wirelessly delivering at least one of the digital contents by the one of the apparatus and the portable unit to another of the apparatus and the portable unit: Page 8, lines 12-16 describe the delivery of the digital contents.
- (4) Using the at least one of the digital contents as identification in communication between the apparatus and the portable unit via the wide area network: The communication is described on page 8, lines 4-6 and page 9, lines 11-13 and 18-19.

**Conclusion:**

Applicant believes that the defects pointed out by the Examiner have been cured. Consideration of the appeal brief is respectfully requested. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required, and to credit any overpayment, to Deposit Account No. 03-1243 (Our Docket No. LOCREM-01).

Respectfully submitted,

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